## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

SHEILA FOSTER, Individually and on

Behalf of the Estate of Garrett Foster, and

STEPHEN FOSTER

Plaintiffs,

V.

1:22-CV-598-RP

UBER TECHNOLOGIES, INC. and DANIEL

SCOTT PERRY

Defendants.

## **ORDER**

On February 22, 2023, Plaintiffs Sheila Foster and Stephen Foster ("Plaintiffs") filed a joint and agreed motion with to dismiss with Defendant Uber Technologies, Inc. ("Uber"), stating that the Plaintiffs and Uber have resolved their dispute and dismissing Plaintiffs' claims against Uber with prejudice. (Dkt. 33). The Court construes the parties' motion as a joint stipulation of dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). "Stipulated dismissals under Rule 41(a)(1)(A)(ii)... require no judicial action or approval and are effective automatically upon filing." *Yesh Music v. Lakewood Church*, 727 F.3d 356, 362 (5th Cir. 2013). As nothing remains to resolve, **IT**IS ORDERED that Defendant Uber Technologies, Inc. is **TERMINATED** as a party in this case. Plaintiff's claims against Uber are **DISMISSED** with prejudice.

**SIGNED** on February 23, 2023.

ROBERT PITMAN UNITED STATES DISTRICT JUDGE